

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 03-21072-CIV-JORDAN

FILED BY
CLERK
03 NOV 15 PM 3:02
CLERK OF DISTRICT COURT
S.D. OF FLA. - MIA.

JERRY FRANK TOWNSEND,

Plaintiff,

v.

CITY OF MIAMI, a municipality;
JAMES E. BOONE and BRUCE CHARLES
ROBERSON, individually, as former police
officers for the CITY OF MIAMI;
HOWARD V. GARY, individually, as a former
City Manager for the CITY OF MIAMI;
CESAR H. ODIO, individually, as a former
City Manager for the CITY OF MIAMI;
DONALD WARSHAW, individually, as a former
City Manager for the CITY OF MIAMI,

Defendants.

PLAINTIFF'S NOTICE OF FILING SECOND AMENDED COMPLAINT

The Plaintiff, JERRY FRANK TOWNSEND, through undersigned counsel, hereby files his Second Amended Complaint in the above-styled matter pursuant to this Court's order of October 28, 2003. The Plaintiff would adopt and incorporate by reference to Plaintiff's Second Amended Complaint, Exhibits A through I attached to Plaintiff's initial complaint filed April 29, 2003, to wit:

Exhibit A - Notice letter dated August 31, 2001 from counsel for Plaintiff to Mayor Joseph Carollo and Notice Letter dated August 31, 2001 from counsel for Plaintiff to the Insurance Commissioner

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- Exhibit B - Seven (7) duplicate cassette tapes of statements of the Plaintiff
- Exhibit C - Order dated April 30, 2001 by Judge Stanton S. Kaplan on the State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count III of the Indictment in Broward Circuit Court case no. 79-7211CF10A and State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count III of the Indictment
- Exhibit D - Order dated May 2, 2001 by Judge Victor Tobin on the State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count I of the Indictment in Broward Circuit Court case no. 79-7217CF10A and State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count I of the Indictment
- Exhibit E - Order dated May 14, 2001 by Judge Victor Tobin on the State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count III of the Indictment in Broward Circuit Court case no. 79-7217CF10A and State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count III of the Indictment
- Exhibit F - Order dated May 14, 2001 by Judge Stanton S. Kaplan on the State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count II of the Indictment in Broward Circuit Court case no. 79-7211CF10A and State's Motion to Vacate and Set Aside Judgment and Sentence for the Defendant's Conviction under Count II of the Indictment
- Exhibit G - Order dated June 15, 2001 by Judge Scott Silverman granting the State's Motion to Vacate Judgments and Sentences in Dade Circuit Court case nos. 79-14619, 79-14698, 79-15569 and the State's Motion to Vacate Judgments and Sentences